

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

IN RE: McCLAIN FEED YARD, INC., McCLAIN FARMS, INC. and 7M CATTLE FEEDERS, INC., Debtors. ¹	CASE NO. 23-20084-7-rlj (Jointly Administered Cases) Chapter 7
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**ORDER GRANTING RABO'S MOTION FOR RELIEF FROM THE AUTOMATIC
STAY OR, ALTERNATIVELY, FOR ABANDONMENT OF CERTAIN CATTLE AND
PROCEEDS OF CATTLE**

This matter came before the Court on April 11, 2024 for a hearing on *Rabo's Motion for Relief from the Automatic Stay or, Alternatively, for Abandonment of Certain Cattle and Proceeds*

¹ The Debtors in these jointly administered Chapter cases are: (a) McClain Feed Yard, Inc. (Case No. 23-20084), (b) McClain Farms, Inc. (Case No. 23-20885) and 7M Cattle Feeders, Inc. (Case No. 23-20886). All three cases are being jointly administered under the case number for McClain Feed Yard, Inc.

of Cattle (the “**Motion**”) that has been filed in the above-entitled jointly administered Chapter 7 cases by Rabo AgriFinance LLC (“**Rabo**”).

Prior to the hearing, the Court carefully considered the Motion and all responses filed thereto. At the hearing, the Court carefully considered the arguments and representations of counsel. At the conclusion of the hearing, the Court made its findings and conclusions on the record finding that the Motion was well-taken, and that the relief requested therein should be granted. The Court’s findings and conclusions on the record are incorporated herein by this reference.

Based upon the foregoing, pursuant to 11 U.S.C. §§ 362 and 554(b), Federal Rule of Bankruptcy Procedure 4001, and Local Rule 4001-1, and for good cause shown, **IT IS HEREBY ORDERED** as follows:

1. The Motion shall be, and it hereby is, granted.
2. The automatic stay of 11 U.S.C. § 362 is hereby terminated and lifted with respect to the “Removed Cattle and Proceeds,” as that phrase is defined in the Motion, and Rabo is hereby authorized (but not directed) to exercise its legal and contractual rights, if any, concerning the Removed Cattle and Proceeds, without further order of the Court.
3. Furthermore, the Court finds that the Removed Cattle and Proceeds are burdensome to the estate or are of inconsequential value and benefit to the estate, as those terms are used in 11 U.S.C. § 554(b). Accordingly, the Chapter 7 trustee is directed to abandon any remaining interest the bankruptcy estate may have in and to the Removed Cattle and Proceeds.
4. Except with respect to the facts necessary to establish Rabo’s entitlement to stay

relief and/or abandonment as requested in the Motion, nothing set forth herein shall constitute findings or conclusions sufficient to invoke the doctrines of res judicata or collateral estoppel either by or against Rabo or to preclude or bar any claims or causes of action by or against Rabo.

5. The fourteen (14) day stay period established by Federal Rule of Bankruptcy Procedure 4001(a)(3) is hereby waived, and this Order shall take effect immediately upon its entry on the Court's docket.

*****END OF ORDER*****

Order Submitted by:

/s/ Michael R. Johnson
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Dated: March 12, 2024